

ALSO PRESENT:

TIMOTHY BAKER, Licensee

CHRIS MILLER, ANC 6C05

MATTHEW MINORA, Attorney for Licensee

1 P-R-O-C-E-E-D-I-N-G-S

2 9:36 a.m.

3 CHAIRPERSON ANDERSON: Our second case
4 is Case No. 17-PRO-00071, Giant #2381, License
5 No. 91952.

6 Will the parties, please, approach and
7 identify themselves for the record, please?

8 MR. MILLER: Yes, my name is
9 Christopher Miller. I'm the Commissioner from
10 the Single Member District 6C05 where the Giant
11 is located.

12 CHAIRPERSON ANDERSON: Good morning,
13 Mr. Miller.

14 MR. MILLER: And my name is spelled
15 Chris, C-H-R-I-S, Miller, M-I-L-L-E-R.

16 MR. MINORA: Matthew Minora from the
17 Law Firm of Mallios & O'Brien on behalf of
18 Licensee.

19 CHAIRPERSON ANDERSON: Speak up, Mr.
20 Minora.

21 MR. MINORA: Oh, sure. Matthew Minora
22 from the Law Firm of Mallios & O'Brien on behalf

1 of the Licensee.

2 CHAIRPERSON ANDERSON: Good morning.

3 MR. MINORA: Good morning.

4 MR. BAKER: Good morning. Timothy
5 Baker from Giant Foods. It's T-I-M-O-T-H-Y B-A-
6 K-E-R.

7 CHAIRPERSON ANDERSON: All right.

8 Thank you. Are there any preliminary matters in
9 this case? All right. Then this matter is
10 scheduled for a Protest Hearing on February 28th
11 at 1:30 p.m.

12 I just want to inform both parties
13 that the purpose of a Protest Hearing is to
14 determine the appropriateness of the
15 establishment in the section of the District
16 where the establishment is located.

17 There are a few things I would like to
18 instruct the Applicant and the Protestants about
19 the protest proceeding to make sure that the
20 hearing is focused and addresses only those
21 issues that are being protested.

22 The Board does not intend to hear

1 testimony on matters that are not relevant to
2 this case. You should have received by
3 electronic or regular mail a letter explaining
4 the protest process, a copy of the Protest
5 Information Form and a copy of the Exhibit Form.
6 If you do not have these documents, please,
7 contact Assistant General Counsel Ms. April
8 Randall following this hearing.

9 It is imperative that you review the
10 rules closely and adhere to them before and
11 during the Protest Hearing. You are also
12 required to complete and submit the Protest
13 Information Form (PIF) and the Exhibit Form seven
14 days before the date of the hearing. These two
15 forms and accompanying documents need to be
16 submitted to ABRA's Legal Division and to all
17 parties in this matter.

18 If we do not receive a copy of your
19 PIF, your application or your protest, whichever
20 side you are representing, may be subject to
21 dismissal. Likewise, if we do not receive a copy
22 of the Exhibit Form and the exhibits themselves,

1 your exhibits may be excluded from the record
2 upon a finding that the opposing party has been
3 prejudiced or no good cause for failure to submit
4 has been shown.

5 Likewise witnesses other than a party
6 may also be subject to exclusion if not
7 identified in the PIF.

8 Accordingly, these forms are very
9 important as they greatly assist the Board in
10 narrowing the protest issues, facilitating the
11 process and keeping the parties on point during
12 the hearing. They likewise provide notice to the
13 opposing parties enabling them to better prepare
14 for the hearing.

15 We thank you greatly for your
16 cooperation. If you have any questions today or
17 at any time leading up to the hearing, please, do
18 not hesitate to contact AGC Randall at (202) 442-
19 4353.

20 I prefer or the Board prefers that
21 these matters are settled, because it has always
22 been our position that it is the residents who

1 live in the neighborhood and so it's best for
2 them to, with the Licensee, come to an agreement
3 rather than come to the Board.

4 But if this matter cannot be settled,
5 I will see you on February 28th at 1:30. So good
6 luck with whatever negotiations that you have.
7 And if I don't see you on February 28th, I will
8 not take it personal. Okay. Good luck. All
9 right. Thank you.

10 MR. MINORA: Thank you.

11 MR. MILLER: So the paperwork is due
12 the 21st?

13 CHAIRPERSON ANDERSON: I'm sorry?

14 MR. MILLER: The paperwork is due the
15 21st?

16 CHAIRPERSON ANDERSON: The 21st, yes,
17 seven days prior to. Both sides need to exchange
18 documents through the Board.

19 If you have any concerns during this
20 process, please, contact Ms. Randall. This is
21 our -- we are not playing a shell game. We are
22 very open to talk to you. Any questions you

1 have, please, contact her. I do not want, if I
2 see you on the 28th, your saying I did not
3 understand, because the Board did not provide
4 proper guidance. Okay? All right. Thank you.
5 Have a good day.

6 (Whereupon, the Protest (Status)
7 Hearing was concluded at 9:41 a.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Giant of Maryland, LLC

Before: DC ABRA

Date: 01-24-18

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

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